IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE EIGHTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

-

WRIT PETITION No.10422 of 1999

Between:

S.R.K.Rajagopala Narasa Raju, S/o S.R.K.Ramachandra Raju Bahadur,
R/o Drakaharama, Ramachandrapuram Mandal, East Godavari District.

..... PETITIONER

AND

1 Government of A.P. Rep by its Secretary, Endowments Departments,

Secretariat, Hyderabad.
2 Commissioner of Endowments, A.P., Tilak Road, Hyderabad
3 Deputy Commissioner of Endowments, Kakinada.
4 Assistant Commissioner of Endowments, Rajahmuntry.
5 Executive Officer, Sri Bhimeswara Swamy Vari Temple,
Draksharama, Ramachandrapuram Mandal, East Godavari District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ, order or direction declaring the action of the Respondents in proposing to constitute Non-hereditary Trust Board to Sri Bheemeswaraswamy Vari temple, Draksharama, Ramachandrapuram Mandal, East Godavari District before deciding the claims of the petitioner for recognising him as member of family of founder trustees as illegal, arbitrary etc.

Counsel for the Petitioner: MR.V.V.L.N.SARMA

Counsel for the Respondent Nos.1 to 5: GP FOR ENDOWMENTS

The Court made the following:

-

-

-

-

-

ORDER:

The petitioner is a resident of Draksharama, Ramachandrapuram Mandal, East Godavari District. When the respondents 2 to 4 were taking steps for constitution of Non-hereditary Trust Board to Sri Bheemeswaraswamy vari temple, Draksharama, the present writ petition is filed challenging the action of the respondents on various grounds. As per Section 15 of A.P. Charitable and Hindu Religious Institutions & Endowments Act, 1987 (the Act, for brevity), the period of Non-hereditary Trust Board is two years. In that view of the matter, the cause of action does not survive. If there is any fresh attempt on the part of the respondents to constitute Non-hereditary Trust Board, it shall be open to the petitioner to challenge the same before appropriate authority and then seek redressal before this Court.

The writ petition is, therefore, dismissed as infructuous.

_____

(V.V.S.RAO,J)

08.6.2005

YS

To

1 The Secretary, Endowments Departments, Government of A.P.,

Secretariat, Hyderabad.

2 The Commissioner of Endowments, A.P., Tilak Road, Hyderabad

3 The Deputy Commissioner of Endowments, Kakinada.

4 The Assistant Commissioner of Endowments, Rajahmuntry.

5 The Executive Officer, Sri Bhimeswara Swamy Vari Temple, Draksharama, Ramachandrapuram Mandal, East Godavari District.

6 Two CCs to the Government Pleader for Endowments,

High Court Buildings, Hyderabad. (OUT)

7 Two C.D.Copies.